

DEC 14 2007

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

MELVIN ANTONIO ALSTON, SR.,)
Plaintiff,) Civil Action No. 7:07-cv-00575
)
)
v.) FINAL ORDER
)
)
DEPARTMENT OF)
CORRECTIONS, et al.,) By: Hon. Glen E. Conrad
Defendants.) United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby

ADJUDGED AND ORDERED

that the instant complaint is **DISMISSED**, pursuant to 28 U.S.C. § 1915A(b)(1), for failure to state a claim upon which relief may be granted. Any pending motions are hereby **DENIED as MOOT**, and this case is **STRICKEN** from the active docket of the court.*

The Clerk is directed to send copies of this order and accompanying memorandum opinion to plaintiff.

ENTER: This 14th day of December, 2007.

Glen Conrad

United States District Judge

* Plaintiff is advised that he may appeal this decision pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure by filing a notice of appeal with this court within 30 days of the date of entry of this order, or within such extended period as the court may grant pursuant to Rule 4(a)(5).